

## DEPARTMENT OF FINANCE BILL ANALYSIS

**AMENDMENT DATE:** June 20, 2011

**POSITION:** Oppose

**SPONSOR:** Humane Society Veterinary Medical Association

**BILL NUMBER:** AB 258

**AUTHOR:** C. Hagman

**RELATED BILLS:** AB 2000 (Hagman)  
(2010)

### **BILL SUMMARY: Rabies: Vaccinations**

This bill would provide an exemption from rabies vaccination requirements, as specified, for dogs whose life would be endangered if vaccinated, as determined and documented by a licensed veterinarian. This bill would also prohibit the rabies license period for exempt dogs from extending beyond one year. Finally, this bill would place various restrictions on all unvaccinated dogs meeting the exemption requirement.

### **FISCAL SUMMARY**

As a result of the bill's provisions, the Department of Public Health (DPH) would be required to amend state regulations relating to the rabies vaccination exemption request process. The DPH estimates a 0.5 Research Scientist IV-Veterinary Sciences and \$120,000 General Fund would be required through fiscal year 2012-13 for this effort. Any additional costs to develop the exemption form and receive reports of exemptions from local health officers would be minor and absorbable.

### **COMMENTS**

The Department of Finance opposes this bill because it would result in General Fund costs and would increase the size of the state's workforce. Finance confirmed with the Office of Administrative Law (OAL) that the bill would require DPH to change existing regulations. We explored the option of having DPH go through a more expedited rulemaking process that would be shorter, less expensive, and avoid a number of the regulations hearings and public comment. However, the OAL confirmed that the provision in the bill that would require DPH to develop a form the locals would use to report rabies vaccine exemptions requires DPH to go through the lengthier regulations process.

Additionally, the unit within DPH that would be responsible for developing these regulations does not have the ability to redirect staff to cover this workload because there is only one person in the unit due to several position reductions over the last several years. DPH would need the additional resources to either develop the regulations or backfill the existing employee's current workload. Absorbing the workload that would be created by this bill would impact the other workload currently assigned to this employee. The employee also is responsible for developing regulations related to AB 2689 (Chapter 45, Statutes of 2010), which would allow cities and counties to specify the means by which a dog owner is required to provide proof of their dog's rabies vaccination. Work on these regulations has not started yet, so a regulations backlog already exists.

Current law requires all dogs that are four months or older to be vaccinated against rabies by their owners. Violation of these requirements will result in a fine not to exceed \$1,000 and the impoundment of the dog.

This bill would exempt from this vaccination requirement a dog whose life would be endangered due to disease or other verifiable and documentable considerations if the dog received the vaccine, as determined by a licensed veterinarian on an annual basis.

Analyst/Principal (0551) B. Nunes	Date	Program Budget Manager Lisa Ann L. Mangat	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

<b>BILL ANALYSIS</b>	Form DF-43 (Rev 03/95 Buff)
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**BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)****Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

C. Hagman

June 20, 2011

AB 258

This bill would also place restrictions on a dog that receives an exemption from the rabies vaccination by requiring the dog be (1) confined to the premises of the owner, keeper, or harborer, (2) on a leash not exceeding six feet in length under the direct physical control of an adult if the dog is off the premises of the owner, keeper, or harborer, and (3) kept out of contact of an unvaccinated dog or cat.

Related Bills: AB 2000 (2010) (Hagman) was substantially similar to this bill as it would exempt a dog from the rabies vaccination requirement if the dog's life would be endangered due to disease or other considerations as determined by a licensed veterinarian, on an annual basis. The bill failed passage in the Senate Appropriations Committee.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2011-2012	FC	2012-2013	FC	2013-2014	Code
4265/PublicHealth	SO	No	C	\$40	C	\$80	C	\$0	0001